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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,933	10/30/2003	Rene Bitsch	M61.12-0532	1035

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EXAMINER
LY, ANH

ART UNIT	PAPER NUMBER
2162	

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08/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/696,933	BITSCH, RENE
	Examiner	Art Unit	
	Anh Ly	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 April 2007</u>.

2a)☐ This action is **FINAL.**　　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-53</u> is/are pending in the application.

　　4a) Of the above claim(s) <u>1-16 and 18-41</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>17 and 42-53</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☒ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. <u>06/28/2007</u> .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is response to Applicant's AMENDMENT filed on

04/30/2007.

2.   Claims 1-16 were withdrawn.

3.   Claims 18-41 was cancelled.

4.   Claims 17 and 42-53 are pending in this Application.

Response to Amendment

5.   Applicant's arguments with respect to claim 17 have been considered but

are moot in view of the new ground(s) of rejection. The reason that the claim 17

is not good in the condition for allowable because "the data being indicative of a

proposed text for a new label" is not clearly claim as shown in fig. 6, item 603 and

604. (spec. page 31). Upon an updated search, examiner finds a relevant

reference to reject amended claim.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

7.   Claims 17 and 42-45 and 47-53 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Pub. No.: US 2002/0156770 A1 of Krichilsky et al. in

view of US Patent No.: 6,006,225 issued to Bowman et al. (hereinafter Bowman).

With respect to claim 17, Krichilsky teaches a computer-implemented method of maintaining a term database (using ordering processing system for searching the text or term or product storing in the database: figs. 1 and 2, item 108, 110 and 218 and 220 databases), comprising the steps of:

receiving data at an interface, the data being indicative of a proposed text (figs 4 and 5, receiving the term or data at user interface dialog box and the entered data indicating how the data to be used or search with dialog box including pull down menu having input box as proposed text: sections 0038-0039 and 0044-0045; items 408, 410 and 412); for a new label;

searching a term database for a term associated with a text that corresponds to the proposed text, wherein the term database is stored on a computer-readable storage medium (Figs 2 and 6's, the search result or search hit including or associating with the proposed text from the database storing in the storage medium: sections 0048 and 0054);

providing output that is indicative of the term, the output including the text and at least one related characteristic (see figs. 6A and 6B and sections 0054-0055);

receiving an input indicating a preference for the proposed text over the term (figs.4 and 5 where the user input for the search query or request and indicating how to search or be used with the search) and

wherein searching the term database further comprises searching for a term associated with a text having a related use characteristic that is comparable to a use characteristic associated with the proposed text (fig. 4 and 6A, 6B:

inputting data via pull down menu and search hits and related characteristic to

the entered text or term).

Krichilsky teaches receiving the data to be search at user interface and

the data indicating the proposed text such as how to search or to be used by

input the data via a pull down menu in input box item 408, 410 and 412.

Krichilsky does not clearly teach new label and suggesting that a new term be

added to the term database, the new term being indicative of the proposed text.

However, Bowman teaches generating new query and adding or

overwriting new term to the table or database (figs. 1 and 4, item 137 and 450,

col. 7, lines 60-67, col. 8, lines 15-20; col. 9, lines 12-32).

Therefore, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to combine the teachings of Krichilsky with

the teachings of Bowman. One having ordinary skill in the art would have found it

motivated to utilize the use of generating the new query or term and adding it to

the database as disclosed (Bowman's fig. 1 and 4), into the system of Krichilsky

for the purpose of refining the search queries, thereby, enabling user to have a

way quickly and efficiently locating the most relevant items (Bowman's col. 1,

lines 12-15 and col. 2, lines 15-25).

With respect to claim 42, Krichilsky teaches receiving a selection

indicative of the proposed text (fig. 4, item 408, 410 and 412: input boxes for

receiving the description for how the data to be used).

With respect to claim 43, Krichilsky teaches wherein receiving data

comprises receiving a category code associated with the proposed text (fig. 4,

item 408, 410 and 412: input boxes for receiving the description for how the data to be used).

With respect to claim 44, Krichilsky teaches wherein receiving data comprises receiving an indication of how the proposed text is used (receiving data at input box, 408, 410 or 412 in fig. 4).

With respect to claim 45, Krichilsky teaches a method as discussed in claim 17.

Krichilsky teaches receiving the data to be search at user interface and the data indicating the proposed text such as how to search or to be used by input the data via a pull down menu in input box item 408, 410 and 412. Krichilsky does not clearly teach adding the new term to the term database, the new term being indicative of the proposed text.

However, Bowman teaches generating new query and adding or overwriting new term to the table or database (figs. 1 and 4, item 137 and 450, col. 7, lines 60-67, col. 8, lines 15-20; col. 9, lines 12-32).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Krichilsky with the teachings of Bowman. One having ordinary skill in the art would have found it motivated to utilize the use of generating the new query or term and adding it to the database as disclosed (Bowman's fig. 1 and 4), into the system of Krichilsky for the purpose of refining the search queries, thereby, enabling user to have a way quickly and efficiently locating the most relevant items (Bowman's col. 1, lines 12-15 and col. 2, lines 15-25).

With respect to claim 47, Krichilsky teaches wherein receiving data comprises receiving data that is input into a dialog user interface (fig. 4 is user graphical interface with input box having pull down menu: dialog input box).

With respect to claim 48, Krichilsky teaches wherein searching the term database comprise, searching for term records in the term database that are associated with a text that is similar to at least a portion of the proposed text (search hits in the figs. 6A and 6B).

With respect to claim 49, Krichilsky teaches wherein providing output comprises providing an output that is indicative of multiple term records in the term database, each term record being associated with text that is similar to at least a portion of the proposed text (the search hits from the search is output as shown in the figs. 6A and 6B).

With respect to claim 50, Krichilsky teaches wherein providing output comprises displaying a list of multiple term records in the term database, each term record being associated with a text that is similar to at least a portion of the proposed text (figs. 6A and 6B).

With respect to claim 51, Krichilsky teaches displaying textual context information related to at least one of the displayed multiple term records (figs. 6A and 6B).

With respect to claims 52-53, Krichilsky teaches a method as discussed n claim 17.

Krichilsky teaches receiving the data to be search at user interface and the data indicating the proposed text such as how to search or to be used by

input the data via a pull down menu in input box item 408, 410 and 412.

Krichilsky does not clearly teach creating a new object in the term database for

the new term and wherein creating a-the new object comprises a step of

assigning an identifier to the new term, wherein the identifier enables the new

term to be distinguished from at least some other terms in the term database.

However, Bowman teaches generating new query and adding or

overwriting new term to the table or database and key term for distinguish the

term in the database (figs. 1 and 4, item 137 and 450, col. 7, lines 60-67, col. 8,

lines 15-20; col. 9, lines 12-32; also see col. 10, lines 8-40).

Therefore, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to combine the teachings of Krichilsky with

the teachings of Bowman. One having ordinary skill in the art would have found it

motivated to utilize the use of generating the new query or term and adding it to

the database as disclosed (Bowman's fig. 1 and 4), into the system of Krichilsky

for the purpose of refining the search queries, thereby, enabling user to have a

way quickly and efficiently locating the most relevant items (Bowman's col. 1,

lines 12-15 and col. 2, lines 15-25).

8.   Claim 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pub. No.: US 2002/0156770 A1 of Krichilsky et al. in view of US Patent No.: 6,006,225 issued to Bowman et al. (hereinafter Bowman) and further in view of Pub. No.: US 2003/0101046 A1 of Krasnov.

With respect to claim 46, Krichilsky in view of Bowman discloses a system as discussed in claim 1.

Krichilsky and Bowman disclose substantially the invention as claimed.

Krichilsky and Bowman do not teach obtaining and storing translations of the proposed text.

However, Krasnov teaches translation the term or word and storing the term or word (abstract and sections 0043-0044).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Krichilsky in view of Bowman with the teachings of Krasnov by incorporating the use of translating and storing of term or word as disclosed (Krasnov's sections 0043-0044), into the system of Krichilsky for the purpose of improving over machine translation based on the amount of these phrases found in the database (Krasnov's sections 0002 and 0004).
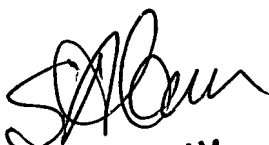
Contact Information

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV (Written Authorization being given by Applicant (MPEP 502.03 [R-2])) or fax to (571) 273-4039 (Examiner's personal Fax No.). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Breene,** can be reached on (571) 272-4107.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks,   Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY
JUL. 12th, 2007

SHAHID ALAM
PRIMARY EXAMINER